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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LAURA BERNHEIM,

Plaintiff,

-against-

NEW YORK CITY DEPARTMENT OF
EDUCATION; ANNELISSE FALZONE, *Field*
Supervisor; JAMES QUAIL, *Field Supervisor*,

Defendants.

19-CV-9723 (VEC)

ORDER OF DISMISSAL

VALERIE CAPRONI, United States District Judge:

WHEREAS Plaintiff brought a *pro se* action under the Age Discrimination in Employment Act of 1967 (“ADEA”), 29 U.S.C. §§ 621 to 634; the Rehabilitation Act of 1973 (“Rehabilitation Act”), 29 U.S.C. §§ 701 to 796; the Americans with Disabilities Act of 1990 (“ADA”), 42 U.S.C. §§ 12112 to 12117; the Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601 to 2654; the New York State Human Rights Law (NYSHRL), N.Y. Exec. Law §§ 290 to 297; and the New York City Human Rights Law (NYCHRL), N.Y.C. Admin. Code §§ 8-101 to 131, alleging that her employer, the New York City Department of Education (“DOE”), and her individual supervisors, Annelisse Falzone and James Quail, discriminated against her based on her age and disability and retaliated against her for requesting medical leave, *see* Compl., Dkt. 2 at 4, 8;

WHEREAS on February 5, 2020, the Court referred this matter to Magistrate Judge James Cott for all general pretrial issues, including dispositive motions, Dkt. 17;

WHEREAS on July 9, 2020, Judge Cott issued a Report & Recommendation (“R&R”) on both dispositive motions, Dkt. 30;

WHEREAS on July 31, 2020, this Court adopted Judge Cott’s R&R in full, Dkt. 31;

WHEREAS this Court dismissed the ADA, ADEA, and Rehabilitation Act claims against Quail and Falzone without leave to amend, Dkt. 31;

WHEREAS this Court dismissed Plaintiff's NYSHRL and NYCHRL claims against all Defendants, and the FMLA claim against Quail and Falzone, with leave to amend, Dkt. 31;

WHEREAS this Court required Plaintiff to file a notice of claim, for her NYSHRL and NYCHRL claims, no later than August 14, 2020, and to file an amended complaint by no later than September 25, 2020, Dkt. 31; and


WHEREAS Plaintiff did not file a notice of claim or an amended complaint by either deadline;

IT IS HEREBY ORDERED THAT this case is DISMISSED WITH PREJUDICE.

The Clerk of Court is respectfully directed to mail a copy of this order to Plaintiff, noting the mailing on the docket. The Clerk of Court is further requested to close the case.

SO ORDERED.

Dated: September 30, 2020
New York, New York



VALERIE CAPRONI
United States District Judge